

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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WILLIAM ZABIT and BRANDTRANSACT :
WORLDWIDE, INC., :
: Plaintiffs, :
-v- :
: :
BRANDOMETRY, LLC, f/k/a/ :
BRANDTRANSACT INVESTMENTS, LLC, :
BRANDOMETRY GROUP, LLC, LARRY A. :
MEDIN, LAM ASSOCIATES, INC., SUSAN :
AVARDE, TONY WENZEL, BRANDLOGIC :
CORP., d/b/a/ TENET PARTNERS, :
COREBRAND ANALYTICS, LLC, d/b/a/ :
TENET PARTNERS, HAMPTON BRIDWELL, :
JAMES GREGORY, TOROSO INVESTMENTS, :
LLC, d/b/a/ TIDAL GROWTH :
CONSULTANTS, MICHAEL VENUTO, ACSI :
FUNDS, EXPONENTIAL ETFS, PHIL BAK, :
CHARLES A. RAGAUSS, EQM INDEXES, :
LLC, JANE EDMONDSON, FRANK ZARABI, :
a/k/a/ FARHAD ZARABI, BACON LAW :
GROUP, and THOMAS C. BACON, :
: Defendants. :
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20-cv-555 (JSR)

ORDER

JED S. RAKOFF, U.S.D.J.

This will confirm in writing the orders orally issued by the Court during a telephonic conference held earlier today at 11:00 a.m.

First, in light of the ongoing pandemic, the deadline for plaintiff to serve defendants is extended to July 31, 2020. Plaintiff's request on April 9, 2020 to serve initial summonses and complaint by overnight mail and simultaneous email, see ECF No. 50, is denied.

Second, the initial pre-trial conference, currently scheduled for April 21, 2020, at 11:00 a.m., is adjourned to August 6, 2020, at 4:00 p.m. Unless otherwise notified, it will be held in Courtroom 14B, at 500 Pearl St., New York, NY 10007.

Third, with respect to the anticipated motions of defendants Bacon Law Group, Thomas C. Bacon, Brandlogic Corp., Corebrand Data Science,¹ Tenet Partners, Hampton Bridewell, and James Gregory to dismiss the amended complaint, briefs must be filed on the following schedule: (a) moving papers due May 29, 2020; (b) answering papers due July 10, 2020; and (c) reply papers due July 24, 2020. Oral argument on these motions shall be held at the aforementioned conference on August 6, 2020, at 4:00 p.m.

In all other respects, the case is stayed until August 6, 2020. Accordingly, the deadline for defendants (other than those named above) to move or answer the amended complaint is adjourned to August 7, 2020. Also, any defendant, other than the ones mentioned in the previous paragraph, who wishes to file a motion to dismiss should be ready to discuss a proposed briefing schedule at the August 6, 2020 conference, unless such defendant

¹ Corebrand Data Science maintains that, although the complaint and the amended complaint names "Corebrand Analytics, LLC" as a party, it is unaware of any entity by that name and submits that plaintiff likely meant Corebrand Data Science.

wishes to file one sooner, in which case relevant defense counsel should call Chambers jointly with plaintiff's counsel to make a request as such.

SO ORDERED.

Dated: New York, NY

April 13, 2020



JED S. RAKOFF, U.S.D.J.